

§ 932.155

Service or the Processed Products Branch, USDA).

[31 FR 12636, Sept. 27, 1966, as amended at 36 FR 24795, Dec. 23, 1971; 49 FR 34440, Aug. 31, 1984; 49 FR 44448, Nov. 7, 1984]

§ 932.155 Special purpose shipments.

(a) The disposition of packaged olives covered by § 932.152(d) which are not reprocessed in accordance therewith shall be in conformity with the applicable provisions of this section.

(1) Under supervision of the Inspection Service, such packaged olives may be disposed of for use in the production of olive oil or dumped.

(2) Such packaged olives may be disposed of to a charitable organization for use by such organization; and any handler who wishes to so dispose of olives shall first file a written application with, and obtain written approval thereof from, the committee. Each such application shall contain at least: (i) The name and address of the handler and the charitable organization; (ii) the physical location of the charitable organization's facilities; (iii) the quantity in cases, the variety, size, can size, and can code of the packaged olives; and (iv) a certification from the charitable organization that such olives will be used by the organization and will not be sold.

(b) Prior to approval of any such application, the committee shall make such investigation as it deems necessary to verify the information therein. The committee may deny any application if it finds that the required information is incomplete or incorrect, or has reason to believe that the intended receiver is not a charitable organization, or that the handler or the organization has disposed of packaged olives contrary to a previously approved application. The committee shall notify the applicant and the organization in writing of its approval, or denial, of the application. Any such approval shall continue in effect so long as the packaged olives covered thereby are disposed of consistent therewith. The committee shall notify the handler and the organization of each such termination of approval. The handler shall furnish the committee upon demand such evidence of disposition of the packaged olives covered by an ap-

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proved application as may be satisfactory to the committee.

(c) In accordance with the provisions of § 932.55(b), any handler may use processed olives in the production of packaged olives for repackaging, and ship packaged olives for repackaging, if the packaged olives meet the minimum quality requirements, except for the requirement that the packaged olives possess a reasonably good flavor: *Provided*, That the failure to possess a reasonably good flavor is due only to excessive sodium chloride.

[33 FR 15632, Oct. 23, 1968, as amended at 39 FR 38221, Oct. 30, 1974; 62 FR 1244, Jan. 9, 1997]

§ 932.159 Reallocation of handler membership.

Pursuant to § 932.25, handler representation on the committee is reallocated to provide that two members shall represent cooperative marketing organizations and six members shall represent handlers who are not cooperative marketing organizations.

[58 FR 28340, May 13, 1993]

§ 932.160 Modification of provisions relative to handler nominees.

Pursuant to § 932.25 the nomination procedure set forth in § 932.29(b) is modified to provide that no more than two nominees for member and two nominees for alternate member positions on the committee may be affiliated with the same handler.

[39 FR 37762, Oct. 24, 1974]

§ 932.161 Reports.

(a) *Reports of olives received.* Each handler shall submit to the committee, on a form provided by the committee, for each week (Sunday through Saturday, or such other 7-day period for which the handler has submitted a request and received approval from the committee) and not later than the fourth day after the close of such week, a report showing by size designation and culls the respective quantities of each variety of olives received. In addition thereto, he shall also report the seasonal totals to date of the report.

(b) *Sales reports.* (1) Each handler shall submit to the committee, on COC Form 21 as provided by the committee,